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EXAMINER

HANNETT, JAMES M

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 10/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,951

Applicant(s)

OBRADOR ET AL.

Examiner

James M Hannett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) ✓
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

The disclosure is objected to because of the following informalities: On Page 2, Line 33 reference is made to a US Patent application. However, No patent number is provided. Please provide the Patent Number.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 1: Claims 1-3, 7-9, 11, 12, 14, 15, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,172,672 Ramasubramanian et al.
- 2: As for Claim 1, Ramasubramanian et al teaches in the abstract and on Column 5, Lines 21-44 a method for acquiring remote high resolution photographs by a user using a streaming video as a view-finder, comprising: Connecting a remote device (user) to one or more photo-video acquisition devices (The photo-video acquisition device are viewed by the examiner as the circuitry that gets the video and data information from the video storage), wherein the remote device is controlled by the user; Acquiring a high resolution photograph (snap shot) from the remote device using a video streamed from the one or more photo-video acquisition devices as a

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view-finder; and Processing and transmitting the video and the high resolution photograph obtained from the one or more photo-video acquisition devices, using a joint video and still image pipeline. Ramasubramanian et al teaches the use of acquiring a streaming video signal over a network and when a user presses a snap shot button a high-resolution image will be sent that corresponded to the frame of streaming video which was viewed on the users monitor at the time the snap shot button was depressed.

3: In regards to Claim 2, Ramasubramanian et al teaches on Column 4, Lines 1-11 the connecting step includes connecting the remote device to the one or more photo-video acquisition devices through a network. The network is viewed by the examiner as the internet.

4: As for Claim 3, Ramasubramanian et al teaches on Column 4, Lines 1-11 the connecting step includes connecting the remote device to the one or more photo-video acquisition devices through a point-to-point connection. A point to point connection is viewed by the examiner as an intranet and the remote device was viewed by the examiner as the users computer; Column 4, Lines 28-36.

5: As for Claim 7, Ramasubramanian et al teaches Column 7, Lines 30-33 further comprising storing the video and the high resolution photograph in a storage on a network server. The network server is viewed by the examiner as the video server.

6: In regards to Claim 8, Ramasubramanian et al teaches on Column 5, Lines 37-41 further comprising sending the video and high resolution photograph to the user.

7: As for Claim 9, Ramasubramanian et al teaches on Column 4, Lines 6-11 further comprising posting the video and the high resolution photograph on a web page; Because the images are used through a web browser it is inherent that the images are on a web page.

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8: As for Claim 11, Ramasubramanian et al teaches in the abstract and on Column 5, Lines 21-44 an apparatus for acquiring remote high resolution photographs by a user using a streaming video as a view-finder, comprising: One or more photo-video acquisition devices (The photo-video acquisition device are viewed by the examiner as the circuitry that gets the video and data information from the video storage), capable of acquiring videos and high resolution photographs, wherein the videos and the high resolution photographs can be processed and transmitted using a joint video and still image pipeline; A network linked to the one or more photo-video acquisition devices (The photo-video acquisition device are viewed by the examiner as the circuitry that gets the video and data information from the video storage), through the network and acquiring the high resolution photographs, using videos streamed from the one or more photo-video acquisition devices as a view-finder. Ramasubramanian et al teaches the use of acquiring a streaming video signal over a network and when a user presses a snap shot button a high-resolution image will be sent that corresponded to the frame of streaming video which was viewed on the users monitor at the time the snap shot button was depressed.

9: In regards to Claim 12, Ramasubramanian et al teaches on Column 4, Lines 1-11 wherein the user (48) can control the one or more photo-video acquisition devices (16) from the remote device through the network or other communication channels. The network is viewed by the examiner as the internet.

10: In regards to Claim 14, Ramasubramanian et al teaches Column 7, Lines 30-33 the network includes a storage on a network server to store the videos and the high resolution photographs. The network server is viewed by the examiner as the video server.

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11: As for Claim 15, Ramasubramanian et al teaches on Column 4, Lines 6-11 further comprising posting the video and the high resolution photograph on a web page; Because the images are used through a web browser it is inherent that the images are on a web page.

12: As for Claim 17, Ramasubramanian et al teaches in the abstract and on Column 5, Lines 21-44 A method for a user to acquire remote high resolution photographs using a streaming video as a view-finder, comprising: Logging onto one or more photo-video acquisition devices from a remote device through a network; Acquiring a high resolution photograph from the remote device, using a video streamed from the one or more photo-video acquisition devices as a view-finder, wherein video and the high resolution photograph obtained from the one or more photo-video acquisition devices are processed and transmitted using a joint video and still image pipeline; and receiving the high resolution photograph from the network. (The photo-video acquisition devices are viewed by the examiner as the circuitry that gets the video and data information from the video storage). Ramasubramanian et al teaches the use of acquiring a streaming video signal over a network and when a user presses a snap shot button a high-resolution image will be sent that corresponded to the frame of streaming video which was viewed on the users monitor at the time the snap shot button was depressed.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**13:** Claims 4, 5, 10, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,172,672 Ramasubramanian et al in view of US 2001/0037465 Hart, III et al.

**14:** In regards to Claim 4, Ramasubramanian et al teaches the claimed invention as discussed in Claim 1. Ramasubramanian et al does not teach requesting payment information from a user who wishes to control the one or more photo-video acquisition devices; and enabling the user to control the one or more photo-video acquisition devices from the remote device.

Hart, III et al teaches on Paragraph [0053] requesting payment information from a user who wishes to control the one or more photo-video acquisition devices; and enabling the user to control the one or more photo-video acquisition devices from the remote device. It is advantageous to request payment information so that an administrator or the video distribution system can make a profit.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video system of Ramasubramanian et al with software that requesting payment information from a user (as taught by Hart, III et al) who wishes to control the one or more photo-video acquisition devices to enable the video distribution system to make a profit.

**15:** As for Claim 5, Hart, III et al teaches on Paragraph [0054] further comprising verifying the payment information submitted by the user before enabling the user to control the one or more photo-video acquisition devices. The process of authorizing a user to view the data is viewed by the examiner as verifying that the payment information is correct.

**16:** In regards to Claim 10 Ramasubramanian et al teaches the claimed invention as discussed in Claim 9. Ramasubramanian et al does not teach requesting payment information from a user

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who wishes to download the video and the high resolution photograph from the web page; and enabling the user to download the video and the high resolution photograph onto the remote device.

Hart, III et al teaches on Paragraph [0053] requesting payment information from a user who wishes to control the one or more photo-video acquisition devices; and enabling the user to control the one or more photo-video acquisition devices from the remote device. It is advantageous to request payment information so that an administrator or the video distribution system can make a profit.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video system of Ramasubramanian et al with software that requesting payment information from a user (as taught by Hart, III et al) who wishes to control the one or more photo-video acquisition devices to enable the video distribution system to make a profit.

17: In regards to Claim 18, Ramasubramanian et al teaches the claimed invention as discussed in Claim 17. Ramasubramanian et al does not teach requesting payment information from a user who wishes to control the one or more photo-video acquisition devices; and enabling the user to control the one or more photo-video acquisition devices from the remote device.

Hart, III et al teaches on Paragraph [0053] requesting payment information from a user who wishes to control the one or more photo-video acquisition devices; and enabling the user to control the one or more photo-video acquisition devices from the remote device. It is advantageous to request payment information so that an administrator or the video distribution system can make a profit.



Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video system of Ramasubramanian et al with software that requesting payment information from a user (as taught by Hart, III et al) who wishes to control the one or more photo-video acquisition devices to enable the video distribution system to make a profit.

**18:** Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,172,672 Ramasubramanian et al in view of US 2001/0037465 Hart, III et al in further view of USPN 6,067,571 Igarashi et al.

**19:** In regards to Claim 6, Ramasubramanian et al in view of Hart, III et al teaches the claimed invention as discussed in claim 4. , Ramasubramanian et al in view of Hart, III et al teaches the use of a system in which multiple users can acquire high resolution images and streaming video over the internet. However, does not teach the use of a queue system to allow multiple users to control the one or more photo-video acquisition devices. (The photo-video acquisition devices are viewed by the examiner as the circuitry that gets the video and data information from the video storage)

Igarashi et al teaches on Column 15, Lines 12-21 teaches the use of a camera control system that allows multiple users to control a camera over the internet. Igarashi et al further teaches the use of a queue system to manage requests from multiple users at the same time. Furthermore, Igarashi et al teaches the use of acquiring images and video over the internet in real time by utilizing cameras instead of the stored video of Ramasubramanian et al. It is advantageous to enable a system with cameras to enable a user to view live video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Ramasubramanian et al in view of Hart, III et al with a queue system in order to manage requests from multiple users at the same time. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the system of Ramasubramanian et al in view of Hart, III et al with video cameras along with the video storage components in order to enable a user to view a live video.

20: In regards to Claim 16, Ramasubramanian et al in view of Hart, III et al teaches the claimed invention as discussed in claim 12. , Ramasubramanian et al in view of Hart, III et al teaches the use of a system in which multiple users can acquire high resolution images and streaming video over the internet.

Igarashi et al teaches on Column 15, Lines 12-21 teaches the use of a camera control system that allows multiple users to control a camera over the internet. Igarashi et al further teaches the use of a queue system to manage requests from multiple users at the same time. Furthermore, Igarashi et al teaches the use of acquiring images and video over the internet in real time by utilizing cameras instead of the stored video of Ramasubramanian et al. It is advantageous to enable a system with cameras to enable a user to view live video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Ramasubramanian et al in view of Hart, III et al with a queue system in order to manage requests from multiple users at the same time. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the system of Ramasubramanian et al in view of Hart, III et al with

video cameras along with the video storage components in order to enable a user to view a live video.

**21:** Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,172,672 Ramasubramanian et al in view of USPN 6,067,571 Igarashi et al.

**22:** As for Claim 13, Ramasubramanian et al teaches the claimed invention as discussed in claim 12. , Ramasubramanian et al in view of Hart, III et al teaches the use of a system in which multiple users can acquire high resolution images and streaming video over the internet.

However, does not teach the use of a queue system to allow multiple users to control the one or more photo-video acquisition devices. (The photo-video acquisition devices are viewed by the examiner as the circuitry that gets the video and data information from the video storage)

Igarashi et al teaches on Column 15, Lines 12-21 teaches the use of a camera control system that allows multiple users to control a camera over the internet. Igarashi et al further teaches the use of a queue system to manage requests from multiple users at the same time. Furthermore, Igarashi et al teaches the use of acquiring images and video over the internet in real time by utilizing cameras instead of the stored video of Ramasubramanian et al. It is advantageous to enable a system with cameras to enable a user to view live video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Ramasubramanian et al in view of Hart, III et al with a queue system in order to manage requests from multiple users at the same time. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the system of Ramasubramanian et al in view of Hart, III et al with

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video cameras along with the video storage components in order to enable a user to view a live video.

**23:** Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,172,672 Ramasubramanian et al in view of USPN 6,591,068 Dietz.

**24:** As for Claim 19, Ramasubramanian et al teaches the use of a system that has several photo-video acquisition devices (The photo-video acquisition devices are viewed by the examiner as the circuitry that gets the video and data information from the video storage) connected to a network that can be controlled by several users at different computers attached to the network. Ramasubramanian et al teaches that streaming video can be sent to the different users over the internet. However, Ramasubramanian et al does not teach that the images sent to the user can be saved onto their computers and then printed on a printer.

Dietz teaches on Column 6, Lines 34-60 the use of a system in which several cameras are connected to a network in which a user at a computer terminal can select images to be printed which were sent to the computer over a network. Dietz teaches that it is advantageous to allow users to print the images on a printer because it allows them to have a hard copy photograph of an event they want to remember.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the user on the system of Ramasubramanian et al to print a selected image on a printer in order to allows them to have a hard copy photograph of an event they want to remember.

**25:** Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,172,672 Ramasubramanian et al.

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26: In regards to Claim 20, Ramasubramanian et al teaches on Page 4, Lines 1-16 that the video signal can be received by clients (110) that have video displays that can display digital information, However, Ramasubramanian et al is silent as to if these devices can be a computer at a person's home.

Official notice is taken that it was well know in the art at the time the invention was made to use personal computers at home in order to give convenience to a user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to receive the video from the network at home in order to give convenience to a user.

### ***Conclusion***

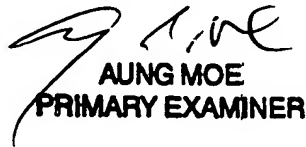
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5,666,215 Fredlund et al teaches the use of a system for remotely selecting photographic images; USPN 6,556,241 Yoshimura et al teaches the use of a remote controlled camera picture broadcast system; US 201/0032335 Jones teaches the use of a picture communications system and associated network services; US 2002/0069419 Raverdy et al teaches the use of a system for streaming video information to a user device; USPN 6,366,914 Stern teaches the use of a audiovisual content distribution system..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is 703-308-6789.

  
**AUNG MOE**  
**PRIMARY EXAMINER**

James Hannett  
Examiner  
Art Unit 2612

JMH